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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 JOSEPH LOCHUCH EWALAN,

11 Plaintiff,

12 v.

13 WASHINGTON STATE
14 DEPARTMENT OF
CORRECTIONS, et al.,

15 Defendants.

CASE NO. C20-5678JLR-TLF

ORDER

16 On February 7, 2023, this court *sua sponte* reconsidered Plaintiff Joseph Lochuch
17 Ewalan's third motion to appoint pro bono counsel. (2/7/23 Order (Dkt. # 124.) The
18 court concluded that appointment of counsel would serve the interests of justice and
19 conditionally granted Mr. Ewalan's motion. (*Id.*) Pursuant to this District's Pro Bono
20 Plan, *see* General Order No. 16-20, Section 4(b) (Dec. 8, 2020), the court directed the
21 Clerk of Court to identify an attorney from the Pro Bono Panel to represent Mr. Ewalan
22

1 for the duration of the action (2/7/23 Order at 6). The Clerk has now identified pro bono
2 counsel willing to represent Mr. Ewalan. Accordingly, the court ORDERS as follows:

3 1. The court APPOINTS Brennen Johnson of Johnson Graffe Keay Moniz & Wick

4 as counsel for Mr. Ewalan. Mr. Johnson's contact information is as follows:

5 Graffe Keay Moniz & Wick

6 2115 N. 30th Street, Suite 101, Tacoma, WA 98403

7 Phone: (253) 572-5323

8 Email: brennenj@jgkwmw.com

9 2. The court DIRECTS Mr. Johnson to file a Notice of Appearance no later than

10 March 1, 2023. If counsel is unable to assume this representation for a reason set

11 forth in the Pro Bono Plan, counsel must file a motion for relief from appointment

12 immediately. In the event Mr. Ewalan prevails in this action, appointed counsel

13 may move for an award of attorney's fees under any applicable authority. The

14 court is unable to assure counsel of compensation from any other source, however.

15 3. The court ORDERS the parties to meet and confer and file a Joint Status Report

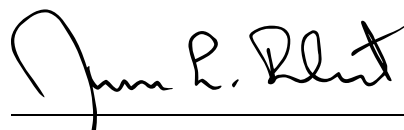
16 no later than May 1, 2023 identifying a proposed trial date and anticipated length

17 of trial and summarizing the parties' issues or concerns as they move toward trial.

18 4. The court DIRECTS the Clerk to send copies of this order to Mr. Ewalan, Mr.

19 Johnson, and counsel for Defendants.

20 Dated this 16th day of February, 2023.

21 

22 JAMES L. ROBART

United States District Judge